

STATEMENT CLAIMING SMALL ENTITY STATUS Docket Number: 2068.001
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN
Applicant, Patentee, or Identifier: William R. Palmer and Stephen L. Palmer
Application or Patent No.: _____
Filed or Issued: _____
Title: INTERACTIVE FOODSTUFF HOLDING DEVICE
I hereby state that I am
_____ the owner of the small business concern identified below:
X an official of the small business concern empowered to act on behalf of the
concern identified below:
NAME OF SMALL BUSINESS CONCERN Sierra Innotek, Inc.
ADDRESS OF SMALL BUSINESS CONCERN 4391 Cameron Rd., Cameron Park, CA 95682

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

_____ the specification filed herewith with title as listed above.
X the application identified above.
_____ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having rights in the invention is listed below:

X No such person, concern, or organization exists.
_____ Each such person, concern or organization is listed below.
Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING William R. Palmer
TITLE IN ORGANIZATION OF PERSON SIGNING Vice-President
ADDRESS OF PERSON SIGNING 4391 Cameron Rd., Cameron Park, CA 95682
SIGNATURE William R. Palmer DATE 08/18/99

**DECLARATION FOR UTILITY OR DESIGN
PATENT APPLICATION (37 CFR 1.63)**

Attorney Docket No.: 2068.001
Inventor Name: William R. Palmer
and Stephen L. Palmer

X Decl. Sub. w/Initial Filing
____ Decl. Sub. after Initial Filing (surcharge (37 CFR 1.15 (e)))
Application No: /
Filing Date:
Group Art Unit:
Examiner Name:

As a below named inventor, I hereby declare that:

My residence, post office addr., and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTERACTIVE FOODSTUFF HOLDING DEVICE

the specification which

X is attached hereto OR
____ was filed on _____ As United States Application No. or PCT Intl. Appln. No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN NUMBERS:	COUNTRY:	FOREIGN FILING DATE:	PRIORITY NOT CLAIMED:	CERTIFIED COPY	
				Yes	No
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Additional foreign appln. nos. are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER(s): _____ **FILING DATE:** _____

60/097,421

08/20/98

DECLARATION - UTILITY or DESIGN PATENT APPLICATION

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. PATENT APPLICATION
or PCT NUMBER:

PARENT FILING DATE:

PARENT PATENT NO:
(if applicable)

Additional U.S. or PCT international appln.nos. are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: X Customer No: 21917 PLACE CUSTOMER No.

BAR CODE
LABEL HERE

OR

Registered practitioner(s) name/registration no. listed below.

NAME:	REGISTRATION NO:	NAME:	REGISTRATION NO:
Michael A. Slavin	34,016	Erik C. Swanson	40,194
Ferris H. Lander	43,377		

DIRECT ALL CORRESPONDENCE TO: _____ Customer Number OR
Or Bar Code Label Correspondence address
below

NAME:	McHale & Slavin, P.A.		
ADDRESS:	4440 PGA Blvd.,		
ADDRESS:	Suite 402		
CITY:	Palm Beach Gardens	STATE: FL	ZIP: 33410
COUNTRY:	U.S.	TELEPHONE: (561) 625-6575	FAX: (561) 625-6572

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 17 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: A Petition has been filed for this unsigned inv.
GIVEN NAME (first and middle (if any)): _____ FAMILY NAME OR SURNAME: _____

William Randall	Palmer	
Inventor's signature: <u>W. Randall Palmer</u>	Date: <u>08/18/99</u>	
Residence: City: <u>2510 Knollwood Dr., Cameron Park, CA 95682</u>		
Post Office Address: <u>2510 Knollwood Dr., Cameron Park, CA 95682</u>		
Post Office Address: <u>2510 Knollwood Dr.</u>		
City: <u>Cameron Park, CA</u>	Zip: <u>95682</u>	Country: <u>U.S.A.</u>

Additional inventors are being named on the X Supplemental additional inventor(s) sheet(s) PTO/SB/02A attached hereto. Page 2 of 3

NAME OF SECOND INVENTOR: A Petition has been filed for this unsigned inv.
GIVEN NAME (first and middle [if any]): FAMILY NAME OR SURNAME:

Stephen Lynn Palmer
Inventor's signature: *SLP* Date: 8-18-99

Residence: City: 4391 Cameron Rd., Cameron Park, CA 95682
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Post Office Address: 4391 Cameron Rd., Cameron Park, CA 95682
City: Cameron Park, CA Zip: 95682 Country: U.S.A.